

1 SNELL & WILMER L.L.P.
Philip J. Graves (SBN 153441)
2 pgraves@swlaw.com
Greer N. Shaw (SBN 197960)
3 gshaw@swlaw.com
Deborah S. Mallgrave (SBN 198603)
4 dmallgrave@swlaw.com
350 South Grand Avenue, Suite 2600
5 Two California Plaza
Los Angeles, CA 90071
6 Telephone: (213) 929-2500
Facsimile: (213) 929-2525
7

8 Attorneys for Plaintiff
James R. Glidewell Dental Ceramics, Inc.
d/b/a Glidewell Laboratories
9

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12 SOUTHERN DIVISION

13 JAMES R. GLIDEWELL DENTAL
CERAMICS, INC. dba GLIDEWELL
14 LABORATORIES, a California
corporation,
15

16 Plaintiff,

17 vs.

18 KEATING DENTAL ARTS, INC.,
19 Defendant.

20 AND RELATED
21 COUNTERCLAIMS.
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Case No. SACV11-01309-DOC(ANx)

**[PROPOSED] ORDER GRANTING
JAMES R. GLIDEWELL DENTAL
CERAMICS, INC.'S NOTICE OF
MOTION AND MOTION IN LIMINE
#5 TO EXCLUDE EVIDENCE OF
CERTAIN TRADEMARK OFFICE
PROCEEDINGS**

Hearing

Date: January 28, 2013
Time: 8:30 a.m.
Ctrm: 9D, Hon. David O. Carter

Pre-Trial Conf.: January 28, 2013
Jury Trial: February 26, 2013

ORDER

Plaintiff James R. Glidewell Dental Ceramics, Inc.'s ("Glidewell") Motion *in Limine* No. 5 to exclude evidence of, and argument regarding, the parties' filings and the U.S. Patent and Trademark Office's ("PTO") actions in Proceeding No. 92056050 and Proceeding No. 91202891, including, but not limited to (a) Defendant Keating Dental Arts, Inc.'s ("Keating" or "Defendant") Petition for Cancellation of Glidewell's registered BruxZir trademark, (b) Keating's Opposition to Glidewell's application to register the BruxZir mark for dental ceramics, and (c) the PTO's suspensions of both proceedings pending the outcome of the instant action, came before this Court for hearing during the Pretrial Conference on January 28, 2013. All parties were represented by counsel.

Having considered the evidence and arguments set forth by the parties in the papers submitted and at the hearing, and for good cause shown,

IT IS HEREBY ORDERED that: Glidewell's Motion *In Limine* No. 5 is **GRANTED**. Keating shall not introduce evidence of, and argument regarding, the parties' filings and the PTO actions in Proceeding No. 92056050 and Proceeding No. 91202891, including, but not limited to (a) Keating's Petition for Cancellation of Glidewell's registered BruxZir trademark, (b) Keating's Opposition to Glidewell's application to register the BruxZir mark for dental ceramics, and (c) the PTO's suspensions of both proceedings pending the outcome of the instant action.

Dated: _____

Hon. David O. Carter
United States District Judge

SNELL & WILMER
LLP
350 SOUTH GRAND AVENUE
SUITE 2600
TWO CALIFORNIA PLAZA
LOS ANGELES, CALIFORNIA 90071

Glidewell Laboratories v. Keating Dental Arts, Inc.

United States District Court, Central, Case No. SACV11-01309-DOC (ANx)

CERTIFICATE OF SERVICE

I hereby certify that on January 17, 2013, I electronically filed the document described as **[PROPOSED] ORDER GRANTING JAMES R. GLIDEWELL DENTAL CERAMICS, INC.'S NOTICE OF MOTION AND MOTION IN LIMINE #5 TO EXCLUDE EVIDENCE OF CERTAIN TRADEMARK OFFICE PROCEEDINGS** the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

David G. Jankowski
Jeffrey L. Van Hoosear
Lynda J Zadra-Symes
Darrell L. Olson
Knobbe Martens Olson and Bear LLP
2040 Main Street, 14th Floor
Irvine, CA 92614

**Attorneys for Defendant Keating
Dental Arts, Inc.**
Tel: (949) 760-0404
Fax: (949) 760-9502

Jeffrey.VanHoosear@kmob.com
David.Jankowski@kmob.com
Lynda.Zadra-symes@kmob.com
Darrell.Olson@knobbe.com
litigation@kmob.com

David A. Robinson
James Azadian
Enterprise Counsel Group
Three Park Plaza, Suite 1400
Irvine, CA 92614

**Attorneys for Defendant Keating
Dental Arts, Inc.**
Tel: (949)833-8550
Fax: (949) 833-8540

drobinson@enterprisecounsel.com
jazadian@enterprisecounsel.com

Dated: January 17, 2013

SNELL & WILMER LLP.

By: s/Greer N. Shaw

Philip J. Graves
Greer N. Shaw
Deborah S. Mallgrave
Attorneys for Plaintiff
James R. Glidewell Dental Ceramics, Inc.
dba Glidewell Laboratories